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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

STEVEN EARL RIDDICK,

Defendant.

DOCKET NO. 1:05-cr-1067 KMK

JUDGE KARAS

MEMO ENDORSED

MOTION TO APPEAL IN FORMA PAUPERIS

COMES NOW the Defendant, Steven Riddick, pursuant to Rule 24(a)(1) of the *Federal Rules of Appellate Procedure* and hereby desires to appeal in forma pauperis. In support of this motion, he has attached form four (4) of the appendix of forms, attached hereto as exhibit "A," showing his inability to pay or give security for the fees and costs. In addition, he has previously shown that he is indigent and has made an oral motion before the court that he intends to appeal and present various issues on appeal. Without waiving any issues formally raised at the trial or sentencing of the Defendant pursuant to Rule 24(a)(1)(C), Riddick intends to raise the following issues on appeal:

1. That the trial court erred by not granting his motion to sever;
2. That the trial court erred in denying his motion to suppress his confession;
3. That the trial court impermissibly allowed non-testifying co-conspirator statements pursuant to Fed. R. Evid. 801(d)(2)(E);
4. That there was insufficient evidence to convict the Defendant;
5. That the trial court erred in denying his motion for a new trial regarding Natasha Singh's perjury;

6. The Defendant reserves the right to allege additional issues upon his appeal;

WHEREFORE PREMISES CONSIDERED, the Defendant moves the District Court to grant this application and allow Mr. Riddick to proceed on appeal without giving security for the fees and costs.

RESPECTFULLY SUBMITTED,

DAVIS & HOSS P.C.

s/Bryan H. Hoss
Bryan H. Hoss, BPR#021529
508 E. 5th Street
Chattanooga, TN 37403
423-266-0605
423-266-0687 fax

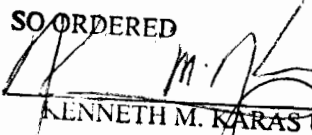
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

This the 17th day of January, 2008.

s/Bryan H. Hoss

Granted

SO ORDERED

KENNETH M. KARAS U.S.D.J.
1/24/08

**AFFIDAVIT ACCOMPANYING MOTION FOR
PERMISSION TO APPEAL IN FORMA PAUPERIS**

United States

v.

Steven Riddick

Case No. 1:05-KMK-1067

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Signed:

Date:

My issues on appeal are:

EXHIBIT

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	0	2,573.96	0	2,460.00
Self-employment	1,100.00	0	0	0
Income from real property (such as rental income)	625.00	0	1,000.00	0
Interest and dividends	0	0	0	0
Gifts	0	0	0	0
Alimony	0	0	0	0
Child support	0	0	0	0
Retirement (such as social security, pensions, annuities, insurance)	0	0	0	0
Disability (such as social security, insurance payments)	0	0	0	0
Unemployment payments	0	0	0	0
Public-assistance (such as welfare)	0	0	0	0
Other (specify):	0	0	0	0
Total monthly income:	1,725.00	2,573.96	1,000.00	2,460.00

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Self-Employed	205 Harbor Dr.	1999-current	\$1,800.00
Norfolk State Univ.	3600 Corporation Ave.	3/94-6/94	\$3,300.00
Hamp. District Comm. Serv. Board	Wash. Ave.	4/94-10/94	2,400.00

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
IHOP	Williamsburg, VA	12.07-current	2,460.00
Johns Robert	Williamsburg, VA	11.04-11.06	2,573.96
Arco Inc. Hill	Gatwick, England	9.03-5.04	1,500.00

4. How much cash do you and your spouse have? \$ 300.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Langley Fed	Savings	1850.00	300.00
Navy Fed	Savings	35.00	
Bank of America checking			

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
bedden Guy	\$,000.00	0
A202 Zakar	\$,000.00	0
Eme Njai	\$,000.00	0

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (including lot rented for mobile home)	2743.00	0
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	0	720.00
Home maintenance (repairs and upkeep)	0	0
Food	0	200.00
Clothing	0	65.00
Laundry and dry-cleaning	45.00	60.00
Medical and dental expenses	0	0
Transportation (not including motor vehicle expenses)	0	0
Recreation, entertainment, newspapers, magazines, etc.		
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	35.00	0
Life		0
Health		
Motor vehicle	0	0
Other:	0	0
Taxes (not deducted from wages or included in mortgage payments)		
specify: <u>Real Estate taxes</u>	291.80	0
Installment payments	0	0
Motor Vehicle	0	0
Credit card (name): <u>VISA, American Express</u>	0	100.00
Department store (name):	0	0
Other: <u>IRS</u>	270.00	0
Alimony, maintenance, and support paid to others	0	0
Regular expenses for operation of business, profession, or farm (attach detail)	0	0
Other (specify):	0	0
Total monthly expenses:	\$0.00	\$0.00
	\$3314.00	\$1,145.00

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☒ Yes ☐ No If yes, describe on an attached sheet.

10. Have you paid-or will you be paying-an attorney any money for services in connection with this case, including the completion of this form?

☒ Yes ☐ No If yes, how much? \$ 25,000

If yes, state the attorney's name, address, and telephone number:

Bryan Hoss
508 E. Smith
Chattanooga, Tenn. 423-266-0605

11. Have you paid-or will you be paying-anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☒ No If yes, how much? \$

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

Since my case started, I haven't been able to obtain new assets! so cash and have lost 5 nights.

13. State the address of your legal residence.

205 Harbor Drive
Hampton, Virginia 23661

Your daytime phone number: (757) 224-5789

Your age: 56 Your years of schooling: 17

Your social-security number: 226-78-0896

Jan 17 08 02:29p

Steve Riddick

9. Due to incarceration I will be no longer be having an income. However; liabilities will remain the same.

City/County of Hampton
Commonwealth of Virginia

The foregoing instrument was acknowledged, before me
this 17 day of January 2008 by Steven Riddick

Harriet Payne 7028535

Commission Expires : 12/31/10

